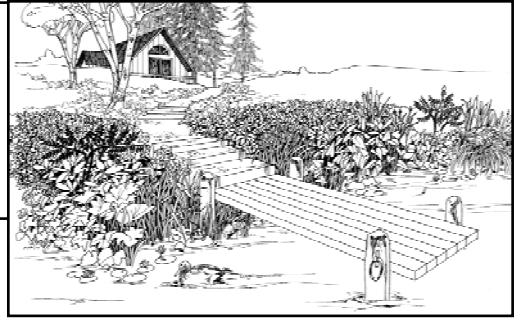


Wisconsin's Pier Regulations



What you need to know for 2006

Piers have been in the news a lot lately. But pier regulation isn't new in Wisconsin. For more than 70 years, the state has overseen the placement of piers to assure they don't present a safety hazard, harm critical fish habitat, or interfere with recreation in our public waterways. Historically and still today, most piers do not require a permit or a fee from the Department of Natural Resources.

So why are we hearing so much about piers now? Two years ago, the Wisconsin Legislature updated the regulations for piers and similar structures, and set some size requirements for piers to be exempt from permitting. Since the 2004 law change, the DNR, Governor, Legislators and citizens have been debating new legislation or revised rules to implement the changes. The main goals are to set up a way to grandfather most pre-2004 piers, and to keep our lakes and rivers healthy for future generations. Additional law changes are not yet complete, so here's what waterfront owners need to know for the 2006 boating season.

Most piers are "exempt", meaning no permit or fee required.

Today most piers are exempt from permitting. An existing or new pier can be placed without a DNR permit or fee, if it meets the dimensions added to state law in 2004 (see inset), and a few other requirements. All the exemption requirements are described in DNR's brochure "Pier Planner", available on DNR's website. A 2005 DNR study showed that 85% of all existing piers already meet these dimensions, so most waterfront owners have exempt piers and don't need to do anything differently.

Sizes for an Exempt Pier

Width - no more than 6 feet wide

Length - the length needed to moor your boat or use boat lift, or the 3-foot water depth, whichever is greater

Number of Boats - 2 for the first 50 feet of frontage, 1 for every additional 50 feet

If your pier is not exempt, but you had the pier before the law changed in 2004... go ahead and enjoy your pier again this summer. Keep doing what you've been doing – don't expand or modify the pier you had before 2004. Grandfathering is not yet available, but when it is, most pier owners will need to do a one-time free registration to verify that it's grandfathered. Of course you can also choose to modify your pier so it's exempt, if you want to be sure you won't need a registration or grandfathering.

If you have a pre-2004 pier with a large deck on it... that deck may be causing harm to habitat, navigation, or your neighbor. None of the proposed law changes would grandfather the very largest decks, so you may want to talk to DNR staff who can help you determine if the deck is causing those problems, and identify ways to modify it to eliminate impacts.

For new piers... follow the requirements described in the "Pier Planner" to be sure your pier is exempt. New piers can be installed without a permit if they meet the exemption standards. Grandfathering will not apply to piers first installed after the law changed in 2004, so these newer piers should not have large decks or extra boats. It's important to follow today's requirements for new piers in order to be exempt. Permits are required for piers that are larger or have more boats.

If you already have a DNR permit for your pier or piers, it's still good. Just continue to follow the terms and conditions of that original permit.

If you are selling your waterfront property... and your pier is exempt, the new owner can place the same pier and they won't need a permit either. If you got a permit for your pier, the permit automatically transfers with the property, so the new owner can simply follow the conditions of the original permit. If the new owner wants to install a different pier, they can design it to be exempt, or obtain a permit if they need something different.

If you're thinking about replacing your pier, and you're going to follow the exemption requirements, go ahead. If your existing pier doesn't meet these requirements, it's a good time to consider a different pier design that meets the dimensions to be exempt, and minimizes impacts on the lake or river.

Piers can cause "Side Effects"

Navigation - Piers that are too long or have many boats can block other users' enjoyment of the waterway.

Habitat - DNR research shows that large decks on piers block growth of aquatic plants. These plants are an important food source for fish and wildlife, and prevent algae growth.

Flags, flowerpots and benches are all fine to have on a pier.

DNR has never required a waterfront owner to remove their pier... and we don't intend to start now. We'll continue to provide information about the requirements, investigate complaints, and work cooperatively with owners to come up with reasonable solutions so every waterfront owner can enjoy navigational access and be in compliance with state laws. Once additional law changes are complete, clear definitions, procedures and standards will make it easy for everyone to follow the rules, and maintain the quality of our state's water resources for all to enjoy.



To learn more about piers and other issues important to waterfront owners, and to find brochures and application forms, visit DNR's website at:

dnr.wi.gov/org/water/fhp/waterway